

1-1 By: West (Senate Sponsor - Carona) H.B. No. 320
1-2 (In the Senate - Received from the House April 16, 2007;
1-3 April 17, 2007, read first time and referred to Committee on
1-4 Transportation and Homeland Security; April 24, 2007, reported
1-5 favorably by the following vote: Yeas 8, Nays 0; April 24, 2007,
1-6 sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to use of electronically readable information from a
1-10 driver's license or personal identification certificate by a
1-11 commercial business.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Section 521.126(e), Transportation Code, is
1-14 amended to read as follows:

1-15 (e) The prohibition provided by Subsection (b)(1) does not
1-16 apply to a financial institution or a business if the information is
1-17 accessed and used only for purposes of identification verification
1-18 of an individual or check verification at the point of sale for a
1-19 purchase of a good or service by check. The prohibition provided by
1-20 Subsection (b)(2) does not apply to a financial institution if each
1-21 license or certificate holder whose information is included in the
1-22 compilation or database consents to the inclusion of the person's
1-23 information in the compilation or database. Consent under this
1-24 subsection must be on a separate document, signed by the license or
1-25 certificate holder, that explains in at least 14-point bold type
1-26 the information that will be included in the compilation or
1-27 database. For the purposes of this subsection, "financial
1-28 institution" has the meaning assigned by 31 U.S.C. Section
1-29 5312(a)(2), as amended.

1-30 SECTION 2. This Act takes effect September 1, 2007.

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